

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Alan Nix		
Plaintiff		Complaint for a Civil Case
vs.		
Mikell Scarborough		Case No.: <u>2:25-cv-00481-RMG-MHC</u>
Stephanie Trotter		
Rachel Filer		Jury Trial Requested
Michael Morris		
Ryan McCabe		
Churchill Park Homeowners' Association Inc.		
James Allan Thornton		
Lee Janssen		
John Cox		
Treasurer of "Churchill Park" (July 2003)		
Treasurer of Churchill Park Homeowners'		
Association, Inc.		
"Churchill Park" (incorporate July 2003)		
Amanda Haselden		
Christopher Craven		
Sarah Schreiber		
Alan Wilson		
Paul Greiner		
Elyssa Rookey		
Defendants.		

PARTIES

Plaintiff:

Alan Nix

Mail to addresses:

1401 Densmore Circle

Alan Nix

Alan Nix

Mount Pleasant, SC 29466

c/o Michael & Taryn Lazroff

c/o Scarlet Wilson

843.729.2400

1401 Densmore Circle
Mount Pleasant, SC 29466101 Meeting St.
Charleston, SC 29401**Defendants:**

Mikell Scarborough – Charleston County, South Carolina

Michael Morris - most likely Lexington County, South Carolina

Rachel Filer - Charlotte, North Carolina area

Stephanie Trotter - Columbia, SC area

Ryan McCabe - Columbia, SC area

Allan Thornton - Charleston County, SC

Lee Janssen - Charleston County, SC

John Cox - Charleston County, SC

"Churchill Park" Treasurer – currently unknown

Churchill Park Homeowners' Association, Inc. Treasurer – believed to be in Charlotte,
NC area in early 2021

Amanda Haselden - Charleston County, SC

Alan Wilson - Columbia, SC area

Christopher Craven - Charleston County, SC

Sarah Schreiber - Charleston, SC area

Paul Greiner - Charlotte, NC area

Elyssa Rookey - Charleston, SC area

Jurisdiction:

Racketeer Influenced and Corrupt Organizations Act – 18 U.S.C. 1961-1968

Statement of Claim:

(This case is a follow on to the case mailed on 29 Oct 2024 and which should have been received between 31 Oct 2024 and 4 Nov 2024. This case is for damages which occurred starting 25 Jan 2021 through early March 2021. The background from the previous complaint pertains to this complaint since this complaint is for additional damages originating from the same conspiracy detailed in the complaint from Oct 2024.) This complaint will be amended with additional exhibits ASAP.

1. On or about 9 Dec 2020, Michael Morris filed a deed at the County of Charleston Register of Deeds office which was signed by Mikel Scarborough about 28 Oct 2020. This deed purported to transfer ownership of 1401 Densmore Circle, Mount Pleasant, SC from Alan and Norma Nix to State Street Holdings Co. LLC. Mikel Scarborough did not have the permission of Alan or Norma Nix to sign this deed and knew he had no other right or jurisdiction to sign the subject deed.

2. On information and belief, Scarborough's 28 Oct 2020 deed fraudulently represented that Rachel Filer had paid \$136,000 to Mikel Scarborough / the County of Charleston in October 2020, when in fact, as of the date of Scarborough's void deed, less than \$7,000.00 had been paid by Rachel Filer / Carolina Real Estate & Investment Group LLC.

3. On information and belief, Michael Morris and Rachel Filer used the deed which Scarborough had illegally signed on 28 Oct 2020 to induce another party to give them a mortgage for over \$140,000 for 1401 Densmore Circle.

4. On information and belief, after obtaining the more than \$140,000 mortgage based on the 28 Oct 2020 deed, Michael Morris and Rachel Filer then used over \$128,000 of those illegally obtained funds to make the actual payment to Mikel Scarborough.

5. On information and belief, Michael Morris was instrumental in this transaction, including but not limited to, transferring money to a checking account which Scarborough controlled.

6. On information and belief, Scarborough falsified court records in an attempt to conceal the illicit activity he, Filer, Trotter and Morris had engage in during October 2020.

7. On information and belief, about 20 or 21 Dec 2020, Michael Morris sent a Writ of Assistance to Mikell Scarborough seeking to have the Nix Family forcefully evicted from their rightfully owned home on 22 Jan 2021. On information and belief, Scarborough, while

knowing that he had no jurisdiction to do so, signed and filed Michael Morris's Writ of Assistance around 30 or 31 Dec 2020.

8. On or about 7 Jan 2021, for reasons that remain unclear, Scarborough signed another Writ of Assistance which purported to reaffirm his Writ of Assistance signed around 30 Dec 2020. Scarborough knew that this second writ of assistance was also signed without any jurisdiction to do so and again threatened physical violence against the Nix Family if they did not voluntarily leave their home by Noon on 22 Jan 2021.

9. At all times while Mikell Scarborough was signing and filing these documents, and purporting to act as a judge with jurisdiction to do so, Mikell Scarborough knew he did not have jurisdiction to take any of these actions since, among other reasons, Stephanie Trotter, nor Ryan McCabe nor any of the Officers or Directors of either "Churchill Park" or Churchill Park Homeowners' Association, Inc. had ever filed a "*Certificate of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Foreclosures*" with either case 2014-CP-10-05407 or 2017-CP-10-04031.

10. The SC Supreme Court order entitled "*Certificate of Compliance with the Coronavirus Aid, Relief, and Economic Security Act in Foreclosures*" stated in part that "*It is further ordered that Master-in-Equity courts statewide shall not hold a foreclosure sale, or issue a judgment of foreclosure, writ of assistance, or writ of ejectment in foreclosure action until the party pursuing the foreclosure has complied with the provisions of this Order.*" See Exhibit A.

11. On 21 Jan 2021 and 22 Jan 2021, Nix notified numerous representatives of the County of Charleston, including Mikell Scarborough, as well as Michael Morris, Rachel Filer, etc. that he would not be willingly leaving his family's home, and specifically clarified that he believed Mikel Scarborough was, and had intentionally acted numerous times, corruptly.

12. On information and belief, Lee Janssen, Allan Thornton, John Cox, Paul Greiner, along with at least one other currently unknown person who was acting as Treasurer (believed to be an employee of Cedar Management Group, LLC, which Paul Greiner controls,) were operating both "Churchill Park" and Churchill Park Homeowners'

Association, Inc. during this period of time. While they outwardly denied that Churchill Park Homeowners' Association, Inc. was the legal entity which operated the homeowners' association responsible for the Churchill Park Subdivision located in Mount Pleasant, SC, behind the scenes they were conducting all legal business for the Churchill Park Subdivision in the name of Churchill Park Homeowners' Association, Inc.

13. On information and belief, on or about 22 Jan 2021, Scarborough scheduled a hearing for approximately 8 Mar 2021 for McCabe, Trotter and "Churchill Park" to get even more of the Nix's money which had been derived from the illegal sale of, and subsequently fraudulent and void deed signed in late October 2020, illegally purporting to transfer ownership of the Nix Family Home to State Street Holdings Co. LLC.

14. On 24 Jan 2021, Nix taped No Trespassing signs to all exterior doors of 1401 Densmore Circle, Mount Pleasant, SC.

15. On 25 Jan 2021, Nix was arrested at gunpoint by the County of Charleston Sheriff at the Sam's Club gas pumps at the Tanger Outlet in North Charleston, SC. The County of Charleston Sheriff charged Nix with "Trespassing after notice", "Opposing law enforcement officer serving process" and "Intimidating Court Officials". The alleged "victim" (and witness) named in both of Sgt. Craven's arrest warrant affidavits for Intimidating Court Officials (one dated 21 Jan 2021 and a second dated 22 Jan 2021) was "*Joe Dawson who is an attorney that represents the County of Charleston*". Sgt. Craven identified the alleged "victim" of "*Trespassing after notice*" as *State Street Holding Co. LLC*. Sgt. Craven did not identify an alleged victim of his alleged "*Opposing law enforcement officer serving process*" (See Exhibit B)

16. On 26 Jan 2021, Amanda Haselden, an employee of the County of Charleston, and coemployee of both Mikel Scarborough and Christopher Craven, signed a bond order. In that bond order, Haselden, most likely with the assistance of other currently unknown persons that most likely also work or worked for the County of Charleston, listed 12 (twelve) newly manufactured alleged "victims" which were not listed in Craven's three arrest warrant affidavits and did not list, or even refer to, Craven's two alleged victims from his 21 and 24 Jan 2021 arrest warrants. (Eg. "*Joe Dawson who is an attorney that represents the County*")

of Charleston” and “State Street Holding Co. LLC”). Haselden identified her newly manufactured alleged victims as “LAURA BECK, KATIE BURUNSON, JAN ONEALE HEARN, CINDY YARBOROUGH, CHRISTINE SMITH, MIKELL SCARBOROUGH, MARTI DENNIS, RYAN CONNOR, SPENCER GILL, JUDY DAWKINS, HUNTER JAMES, BARNWELL RASWELL and CHARLESTON COUNTY MAGISTRATE TOM LYNN” See Exhibit C.

17. Nix remained incarcerated at the County of Charleston Detention Center from the night of 25 Jan 2021 until late afternoon 9 Feb 2021. In addition to being held prisoner for fifteen days, Nix was also required to pay \$65,440 bail to get out of jail, and inexplicably required to pay for and wear an ankle monitor which enforced Haselden’s clearly improper prohibition of going within five miles of his legally owned home at 1401 Densmore Circle, Mount Pleasant, SC.

18. On information and belief, on the morning of 26 Jan 2021, without the Nix Family’s permission or a lawful court order to allow them to do so, numerous South Carolina law enforcement agencies and related employees broke into the Nix Family Home. (agencies currently believed to be involved are: South Carolina Law Enforcement Division, County of Charleston Sheriff, Town of Mount Pleasant Police Dept., City of Charleston Police Dept)

19. The unlawful entry into the Nix Family Home on and after 26 Jan 2021 by these defendants and their associates resulted in the taking, and likely destruction, of significant amounts of evidence which Nix had compiled to enable prosecution of these parties and their associates. (Obstruction)

20. Starting on or about 27 Jan 2021, while Nix was still incarcerated at the Sheriff Al Cannon (Esq.) Detention Center, and prohibited by Amanda Haselden from coming within a five mile radius of 1401 Densmore Circle, Rachel Filer and others acting at her direction, began taking, without the Nix’s permission, almost all of the Nix Family’s personal possessions which were located within the locked premises of 1401 Densmore Circle.

21. starting on 27 Jan 2021, and continuing through at least mid Feb 2021, multiple County of Charleston employees, including but not limited to Elyssa Rookey and Christopher Craven, engaged in a conspiracy to have Nix committed.

22. On 8 Feb 2021, Nix's father posted the \$65,440 bond.

23. On 9 Feb 2021 Nix was able to find a GPS monitor and have it installed, finally allowing him to be released from the County of Charleston's custody.

24. On or about 8 Mar 2021, Scarborough unlawfully (again) gave "Churchill Park" (in reality likely Churchill Park Homeowners' Association, Inc) McCabe and Trotter another roughly \$4500.00 of the proceeds unlawfully gained from the illegal sale and transfer of the Nix Family Home (eg. 1401 Densmore Circle). Since Haselden, one of Scarborough's associates, had illegally ordered that Nix was "NO CONTACT WITH VICTIMS NOR ANY FAMILY MEMBERS OF THE VICTIM, ELECTRONICALLY, BY PHONE, ON SOCIAL MEDIA OR BY THIRD PARTY, OR IN WRITING" and "YOU ARE BARRED FROM WITHIN ONE BLOCK OF THE VICTIM'S RESIDENCE, SCHOOL, BUSINESS, AND/OR WORK", and one of Haselden's newly manufactured victims was "MIKELL SCARBOROUGH", Nix could not participate in said void hearing without being thrown in jail again. On information and belief, Sarah Schreiber of Charleston Legal Access did not show up to represent the Estate of Norma Nix, thereby once again facilitating Trotter and Scarborough's additional theft of more than \$4000.00 of the money derived from Scarborough's and associates illegal sale of the Nix Family Home, and subsequent fraudulently issued deed purporting to convey 1401 Densmore Circle to State Street Holdings.

RELIEF SOUGHT:

1. Return of 1401 Densmore Circle to Alan Nix and the Estate of Norma Nix (current value believed to be at least \$735,000). (may entertain the option of payment of at least \$2.3 million to Alan Nix and the Estate of Norma Nix)

2. treble the cost of lost income from the Nix's inability to use the Nix Family Home since 26 Jan 2021, as well as costs associated with Nix being homeless since 26 Jan 2021. (approximately \$5500.00/mo)

3. Return of all of the personal possessions that the County of Charleston, Rachel Filer and / or any of their associates removed from 1401 Densmore Circle on or after 26 Jan 2021. (less the few belongings the Nix children were allowed to remove.)


4. at least treble the cost of bail, lost earnings on bail and costs associated with ankle monitor. (approximately \$197,500 for Jan, Feb and Mar 2021) (will be extended via follow on case for damages post early March 2021)

McCabe, Trotter, "Churchill Park", Churchill Park Homeowners' Association, Inc., and their current Officers and Directors, along with their current Community Association Institute accredited Management Company (which is the same Management Company that was involved with this scheme when it started in 2003) continue to engage in highly similar and related improper conduct related to the Churchill Park Subdivision located in the Development known as Park West located in Mount Pleasant, SC. For one example, see lawsuit filed by McCabe and Trotter entitled "Churchill Park" v. Churchill Park Homeowners' Association, Inc.,. Also see Federal tax filing in which Churchill Park Homeowners' Association, Inc., (Lee Janssen as President) changed its name to "Churchill Park" without first having the South Carolina Secretary of State either change "Churchill Park"s name or dissolve it.

CERTIFICATION:

I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation, (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing law, (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery, and (4) the complaint otherwise complies with the requirement of Rule 11.

23 Jan 2025



Alan Nix